

INTERVENTION  
ORIGINAL



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BEFORE THE ARIZONA CORPORATION COMMISSION

MIKE GLEASON  
Chairman  
WILLIAM A. MUNDELL  
Commissioner  
JEFF HATCH-MILLER  
Commissioner  
KRISTIN K. MAYES  
Commissioner  
GARY PIERCE  
Commissioner

Arizona Corporation Commission  
DOCKETED

JUL 20 2007

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AZ CORP COMMISSION  
DOCKET CONTROL

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IN THE MATTER OF THE APPLICATION OF  
SEMPRA ENERGY SOLUTIONS LLC FOR A  
CERTIFICATE OF CONVENIENCE AND  
NECESSITY FOR COMPETITIVE RETAIL  
ELECTRIC SERVICE.

DOCKET NO. E-03964A-06-0168

MOTION TO INTERVENE

New West Energy Corporation ("New West Energy"), an Arizona corporation, is one of the original Arizona electric service providers, having been granted a Certificate of Convenience and Necessity by the Commission on September 17, 1999. Pursuant to the July 5, 2007 procedural order, and A.A.C. R14-3-105, New West Energy requests intervention in these proceedings.

In support of its request for intervention, New West Energy states:

1. New West Energy has demonstrated a substantial interest in retail competition. While New West Energy suspended active operations during the California energy crisis of 2000 and 2001, it remains interested in the development of retail electric competition in Arizona.

2. Until recently it appeared that a decision on the Sempra Energy Solutions LLC ("Sempra") application would await the completion of a comprehensive workshop, to work through the issues of competition that were left open after the *Phelps Dodge v.*

1 *Arizona Corporation Commission* decision, and the consideration of and adoption of  
2 revised competition rules. In the workshop issues such as prices, consumer protection,  
3 terms of service, transmission access and other important competition issues could be  
4 fully explored and resolved. New West Energy planned to participate in the workshop.

5 3. New West Energy was surprised by the recently filed testimony of the ACC  
6 Staff ("Staff"), wherein the Staff among other things recommended granting Sempra's  
7 application, subject to certain conditions. As the Sempra application will begin retail  
8 competition again, it is likely that at least some of the issues that would have been  
9 discussed and decided in a rulemaking/workshop setting may be decided in this docket.

10 4. New West Energy requests participation in order to be a part of this  
11 important decision-making process and to raise issues that are appropriate to the  
12 resumption of competition in Arizona.

13 5. Currently there are no electric service providers (other than Sempra) who  
14 are parties to these proceedings; the intervention of New West Energy will add a needed  
15 dimension to this docket.

16 6. New West Energy understands that testimony has been filed and that an  
17 extended time frame has been established for new intervenors. New West Energy will  
18 comply with these time frames.

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1 For the foregoing reasons, New West Energy respectfully requests that it be  
2 granted intervention in the above-captioned matter.

3 RESPECTFULLY SUBMITTED this 20<sup>th</sup> day of July, 2007.

4 JENNINGS, STROUSS & SALMON, P.L.C.

5 By 

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10 ORIGINAL + 13 copies filed this 20<sup>th</sup>  
11 day of July, 2007, with:

12 Docket Control

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14 COPY delivered this 20<sup>th</sup> day of  
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16 Teena Wolfe

17 Administrative Law Judge

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